



**STATEMENT FOR THE RECORD  
TRAGEDY ASSISTANCE PROGRAM FOR SURVIVORS (TAPS)  
BEFORE THE  
COMMITTEES ON VETERANS' AFFAIRS  
UNITED STATES HOUSE OF REPRESENTATIVES  
SUBCOMMITTEE ON DISABILITY AND MEMORIAL AFFAIRS**

**MARCH 29, 2023**

The Tragedy Assistance Program for Survivors (TAPS) is the national provider of comfort, care, and resources to all those grieving the death of a military loved one. TAPS was founded in 1994 as a 501(c)(3) nonprofit organization to provide 24/7 care to all military survivors, regardless of a service member's duty status at the time of death, a survivor's relationship to the deceased service member, or the circumstances of a service member's death.

TAPS provides comprehensive support through services and programs that include peer-based emotional support, casework, assistance with education benefits, and community-based grief and trauma resources, all at no cost to military survivors. TAPS offers additional programs including, but not limited to: a 24/7 National Military Survivor Helpline; national, regional, and community programs to facilitate a healthy grief journey for survivors of all ages; and information and resources provided through the TAPS Institute for Hope and Healing. TAPS extends a significant service to military survivors by facilitating meaningful connections to other survivors with shared loss experiences.

In 1994, Bonnie Carroll founded TAPS after the death of her husband, Brigadier General Tom Carroll, who was killed along with seven other soldiers in 1992 when their Army National Guard plane crashed in the mountains of Alaska. Since its founding, TAPS has provided care and support to more than 100,000 bereaved military survivors.

In 2022 alone, 8,849 newly bereaved military survivors came to TAPS for care. This is an average of 24 new survivors coming to TAPS each and every day. Of the survivors seeking our care in 2022, 30 percent were grieving the death of a loved one to illness, including toxic exposures, and 29 percent were grieving the death of a military loved one to suicide.

As the leading nonprofit organization offering military grief support, TAPS builds a community of survivors helping survivors heal. TAPS provides connections to a network of peer-based emotional support and critical casework assistance, empowering survivors to grow with their grief. Engaging with TAPS programs and services has inspired many survivors to care for other more newly bereaved survivors by working and volunteering for TAPS.

Chairman Luttrell, Ranking Member Pappas, and distinguished members of the House Committee on Veterans' Affairs, the Tragedy Assistance Program for Survivors (TAPS) is grateful for the opportunity to provide a statement for the record on issues of importance to the 100,000-plus surviving family members of all ages, representing all services, and with losses from all causes that we have been honored to serve.

The mission of TAPS is to provide comfort, care, and resources for all those grieving the death of a military loved one, regardless of the manner of death, the duty status at the time of death, the survivor's relationship to the deceased, or the survivor's phase in their grief journey. Part of that commitment includes advocating for improvements in programs and services provided by the U.S. federal government — the Department of Defense (DOD), Department of Veterans Affairs (VA), Department of Education (DoED), Department of Labor (DOL), and Department of Health and Human Services (HHS) — and state and local governments.

TAPS and the VA have mutually benefited from a long-standing, collaborative working relationship. In 2014, TAPS and the VA entered into a Memorandum of Agreement that formalized their partnership with the goal of providing earlier and expedited access to needed survivor services. In 2023, TAPS and the VA renewed and expanded their formal partnership to better serve our survivor community. TAPS works with military survivors to identify, refer, and apply for resources available within the VA, including education, burial, benefits and entitlements, grief counseling, and survivor assistance.

TAPS also works collaboratively with the VA and DOD Survivors Forum, which serves as a clearinghouse for information on government and private-sector programs and policies affecting surviving families. Through its quarterly meetings, TAPS shares information on, and supports referrals to, its programs and services that support all those grieving the death of a military loved one.

TAPS President and Founder, Bonnie Carroll serves on the Secretary of Defense Roundtable for Military Service Organizations and the Department of Veterans Affairs Federal Advisory Committee on *Veterans' Families, Caregivers, and Survivors*, where she chairs the Subcommittee on Survivors. The committee advises the Secretary of the VA on matters related to veterans' families, caregivers, and survivors across all generations, relationships, and veteran statuses. Ms. Carroll is also a distinguished recipient of the Presidential Medal of Freedom, the Nation's highest civilian honor.

## **Captain James C. Edge Gold Star Spouse Equity Act (H.R.854)**

*(TAPS Does Not Support As Written)*

A top legislative priority for TAPS is to secure the right for surviving spouses to remarry at any age and retain their benefits. Many surviving spouses choose not to remarry after the death of their service member because the loss of financial benefits would negatively impact them, especially those with young children. To retain their benefits, many choose to cohabitate instead of legally remarrying. If a surviving spouse waits until age 55 to remarry, they retain benefits.

We appreciate Representatives Waltz, Moulton, Bacon and Crow for introducing the *Captain James C. Edge Gold Star Spouse Equity Act (H.R.854)*, which would expand benefits for certain surviving spouses who choose to remarry, but TAPS does not support the bill as it is currently written.

The bill policy language is neither inclusive nor comprehensive. The use of the term “in the line of duty” excludes surviving spouses of veterans and retirees whose spouses died from a service-connected injury or illness. TAPS feels strongly that we should not create different categories of survivors and that any expansion of benefits should benefit all survivors, not just survivors of certain duty statuses, causes of death, or locations of death.

The current language also addresses only two of the benefits surviving spouses receive, the Surviving Benefit Plan (SBP) and Dependency and Indemnity Compensation (DIC). It does not address education benefits, base access, health care, and commissary and exchange benefits that surviving spouses lose if they remarry before the age of 55.

From the technical side, H.R.854 refers to surviving spouses of a veteran who remarry before the age of 57. The *Johnny Isakson and David P. Roe Veterans Health Care and Benefits Improvement Act of 2020*, Section 2010, lowered the remarriage age from 57 to 55. The law went into effect on January 5, 2021.

Furthermore, Section 2 of the bill does not address the concerns of the “Child Only Option” Survivor Benefit Plan recipients. The SBP-DIC Offset, better known as the “Widow’s Tax”, was repealed in December 2019 through the *Fiscal Year 2020 National Defense Authorization Act (NDAA)*. The repeal of the authority for the Optional Annuity for Dependent Children, and the ability for surviving spouses to reselect the benefits in their name, went into effect on February 1, 2023. As written, H.R.854, does not allow remarried surviving spouses to reselect the SBP in their names.

Remarriage legislation that is both inclusive and comprehensive is the *Love Lives On Act of 2023*, which is endorsed by TAPS and 30 other Veteran Service Organizations (VSOs). TAPS encourages the committee to consider the *Love Lives On Act of 2023*, as this bill is strongly supported by the veteran and survivor community.

***The Love Lives On Act of 2023:***

- Removes the arbitrary age of 55 as a requirement for surviving spouses to retain benefits after remarrying.
- Allows surviving spouses to retain both the Survivor Benefit Plan (SBP) and Dependency and Indemnity Compensation (DIC) upon remarriage at any age, and reselect if they were a child option surviving spouse.
- Allows remarried surviving spouses to maintain access to education benefits under the Fry Scholarship and Dependents Education Assistance (DEA).
- Allows remarried surviving spouses to retain Commissary/Exchange benefits.
- Allows remarried surviving spouses to regain their TRICARE benefits if their remarriage ends due to death, divorce, or annulment.
- Removes the “Hold Themselves Out to Be Married” clause from 38 USC, Section 101, paragraph 3.

Current law significantly penalizes surviving spouses if they choose to remarry before the age of 55. Given that most surviving spouses from the post-9/11 era are widowed in their 20s or 30s, we are asking them to wait 20-plus years to move forward in their lives. They often have children that they must raise alone. Many surviving spouses choose not to remarry after the death of their service member because the loss of financial benefits would negatively impact them, especially those with children. Many choose to cohabitate instead of legally remarrying. A long-term goal for TAPS is to secure the right for surviving spouses to remarry at any age and retain a majority of their benefits. TAPS is a strong supporter of the *Love Lives on Act of 2023*.

Military spouses are among the most unemployed and underemployed populations in the United States. Due to frequent military moves, absence of the service member, and expensive child care, military spouses face high barriers to employment and are unable to fully invest in their own careers and retirement. For many families, military retirement pay is the household's retirement pay. These employment barriers continue when a military spouse becomes a surviving spouse. Many surviving spouses put their lives on hold to raise bereaved children. They are reliant on their survivor benefits to offset the loss of pay for their late spouse and their own lost income as a result of military life.

If a surviving spouse's subsequent marriage ends in death, divorce, or annulment, while most benefits can be restored, TRICARE cannot. If a surviving spouse was previously eligible for insurance through CHAMPVA, that benefit can be restored. TAPS is not asking for surviving spouses to maintain TRICARE upon remarriage, only that we provide parity with other federal programs and allow it to be restored if the subsequent marriage ends.

These are punitive restrictions that are imposed on the military surviving family, but not others who put their lives on the line to protect and defend. For example, in 30 states, including Texas<sup>1</sup>, Virginia<sup>2</sup>, and Louisiana<sup>3</sup>, first responders' survivors are allowed to legally remarry in the U.S. and maintain all or partial pensions and benefits.

In certain circumstances, divorcees are granted more respect than surviving spouses. If a service member was married for at least 20 years and served 20 years, that spouse is entitled to a portion of that retirement benefit regardless of whether they remarry or not. Surviving spouses should not be penalized for remarrying when we grant the right to retain benefits to certain divorced spouses.

Choosing to remarry should not impact a surviving spouse's ability to pay bills. They should not have to choose between another chance at love and financial security. They are still the surviving spouse of a fallen service member or veteran, who earned these benefits through their service and sacrifice, regardless of their marital status. Being widowed should not penalize them from finding love in the future.

The following personal testimonials from surviving spouses help highlight these important issues.

**Tonya Syers, Surviving Spouse of W4 Lowell Syers II, U.S. Army**

*"My husband, Lowell, enlisted in high school via the delayed entry program. We met at Fort Campbell, Kentucky, and married six months later. After multiple moves, he eventually decided to join the National Guard, and we moved to California. He retired after 20.5 years. In May of 2019, we watched my son graduate from UGA and be commissioned into the USAR. My husband gave him his first official salute. It was a very exciting moment, but the next day Lowell asked me to take him to the emergency room. Instead of celebrating Jake's graduation, we found out Lowell had stage 4 glioblastoma from the burn pits. By the end of July, it took his life.*

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<sup>1</sup> <https://www.firehero.org/resources/family-resources/benefits/local/tx/>

<sup>2</sup> <https://www.firehero.org/resources/family-resources/benefits/local/va/>

<sup>3</sup> <https://irp-cdn.multiscreensite.com/ac5c0731/files/uploaded/Louisiana.pdf>

*Eventually, I met a gentleman named James "Jay" Matheson. He also retired from the Reserves. We got engaged. I was shocked to learn that remarrying before the age of 55 would cause me to lose my military benefits. Jay's ex-wife was granted half of his Navy retirement. She is free to remarry without any financial loss. Why does the government allow divorcees to keep military pensions but punish military widows? I am not in any way telling the government to rescind ex-wives' court-appointed portions of military pensions. I am only saying that it is morally wrong not to offer military widows the same option to remarry without financial penalty.*

*The most pro-family and pro-military decision Congress could make is to change this law! Lowell served over 20 years and never collected one cent in retirement. He died, like most, too early due to military service. We would gladly trade our benefits to have our spouse back. Unfortunately, we do not have that option."*

**Marcie Robertson, Surviving Spouse of SFC Forrest Robertson, U.S. Army**

*"I lost my husband in November 2013 when he was killed in action in Afghanistan. At the time, I was 34 years old, and our daughters were 14, 10, and 6 years old. One day I had a partner and the next day I was the only one to make decisions, discipline, and raise three daughters.*

*My husband deployed four times during our marriage, so we both understood his job meant there was a real possibility that he might not come home each time he deployed. Early on, we had a discussion about what would happen if he were to lose his life. He told me where he wanted to be buried and what to do with the insurance money. He also told me that when I felt ready, he wanted me to move forward with someone new. It was very important to him that I not spend the rest of my life alone. I remember him telling me I would be too young to never marry again. He said this, not realizing that his wish for me would mean the end of the benefits he provided for me. He went to war for his country knowing that if he sacrificed his life, his family would be taken care of. He did not know that meant his widow would have to stay unmarried until she was practically a senior citizen to maintain her benefits.*

*I have met a wonderful man who has become a partner to me and a "bonus dad" to my daughters. He was also a soldier and spent over 20 years serving his country. He is exactly what my husband would want for the four of us. I dream of the day when I can marry him. I am a Christian and believe that God provided this amazing man to be my husband. I was pulled aside several times by my church leader and told if I didn't marry him or kick him out of my house, I would lose my vote in church decisions and my opportunity to volunteer in the church. This ultimately pushed me away from my church and severed important friendships in my support system. I am being forced to make a choice to put aside my religious beliefs to maintain my income.*

*Even after all this, he is willing to wait until we are in our late 50s to marry me. I should never have been put in a position to have to ask that of him. Especially, when a soldier can get divorced, and if the couple was married for a certain length of time and that soldier's retirement is named as marital property in the divorce decree, the spouse will receive as much as half of the soldier's retirement. That same spouse can remarry and receive their share of the retirement. It is unbelievable that this is not the same for me.*

*It appalls me that my country would ask me to give up my financial independence to get married. We are talking about a small portion of the population of the United States that have sacrificed so much. If you are willing to vote "yes" on a bill to send people to war, you should also hold responsibility for the catastrophic effects of war and serving. It should be a reminder of the cost of war. Continuing to pay these benefits after remarriage is a small price to pay to take care of the families of our fallen. If you are concerned about the cost of supporting survivors, stop asking men and women to give their lives."*

## **VETERANS COMPENSATION AND COST OF LIVING ADJUSTMENT ACT OF 2023 (H.R.1529)**

*(TAPS Strongly Supports)*

More than 450,000 survivors receive Dependency and Indemnity Compensation (DIC) from the VA. DIC is a tax-free monetary benefit paid to eligible surviving spouses, children, or parents of service members whose death was in the line of duty or resulted from a service-related injury or illness. TAPS is committed to strengthening DIC and providing equity with other federal benefits.

The current monthly DIC rate for eligible surviving spouses is \$1,562.74, which has only increased due to Cost-of-Living-Adjustments (COLA). TAPS thanks Chairman Luttrell and Ranking Member Pappas for introducing the *Veterans Compensation and Cost of Living Adjustment Act of 2023* (H.R.1529) to help improve DIC. TAPS also encourages the committee to pass the *Caring for Survivors Act of 2023* (H.R.1083) to increase DIC from 43 percent to 55 percent of the compensation rate paid to a 100 percent disabled veteran, to provide parity with all other federal survivor programs.

TAPS and the survivor community have supported increasing DIC for many years. The following statements from veteran survivors demonstrate that stringent limitations on DIC payments to survivors have financial and widespread impacts on housing, transportation, utilities, clothing, food, medical care, recreation, and employment for surviving families.



**Sadie Clardy, Surviving Spouse of TSgt Michael Clardy, U.S. Air Force**

*“Five years ago, my husband died suddenly, leaving me to raise four children — ages 11 and under — on my own. My earning potential is severely limited, due to the years I dedicated to supporting my husband’s career, and also the logistics of maintaining a job as a single mother of four. These last few years, especially, have been financially draining with supply-chain issues, inflation, and, more personally, the loss of a vehicle due to an uninsured driver.*

*It is time to increase DIC, to come to parity with federal death benefits. It is time to give families of the fallen some breathing room. A DIC increase for our family would mean paying back savings, music lessons, school supplies, and cooking omelets for my children with carefree abandon. Moreover, putting us more on the level with other survivor groups is the right thing to do.”*

**Harry McNally, Surviving Spouse of SGT Shanna Golden, U.S. Army**

*“Increasing the amount of DIC to levels identical to other federal survivor benefits should have been done decades ago. As it stands, the implication is that the death of a veteran or service member is worth less than the death of other federal employees.”*

**Barclay Murphy, Surviving Spouse of MAJ Edward Murphy, U.S. Army**

*“When my son turned 18 and went to college, a significant amount of income was lost while expenses remained constant — if not higher — due to inflation. I had planned for the income loss; I even sold my house and downsized. I raised two kids solo for almost 18 years. As an empty nester, I thought I’d have enough money for just me, but it has been tough even after the Widow’s Tax repeal and cutting out so much.”*

**Melissa Evinger, Surviving Spouse of Sgt Barry Evinger, U.S. Marine Corps**

*“As a widow and mother of three children, the weight I carry on my shoulders is substantial and often paralyzing as I strategize how to take care of my children. As a Texas public school teacher, my income will never be substantial. I do receive DIC, however, this does not come close to what my husband received in disability compensation. Because of this, I have to supplement my income by working as a tutor before and after school. This all amounts to time I have to be away from my children just to ensure we can afford a basic lifestyle.*

*My husband, children, and I have paid a huge price for our country. As the nation asked my husband to help defend its interests, I now ask for your help in return. I respectfully ask you to consider the possibility of increasing the amount of DIC for the widows and children of the fallen.”*

## **GERALD'S LAW (H.R.234)**

*(TAPS Strongly Supports)*

The average cost of a funeral in the United States in 2022 is upwards of \$7,000. The current VA rates for reimbursement for a veteran are miniscule in comparison. The burial allowance for a non-service-connected death is \$300, and \$2,000 for a death connected to military service. VA will pay up to \$796 toward burial and funeral expenses for deaths on or after October 1, 2019 — if hospitalized by VA at time of death, or \$300 toward burial and funeral expenses — if not hospitalized by VA at time of death.

TAPS supports ***Gerald's Law*** (H.R.234) to raise the burial allowance for veterans who die in hospice care at home instead of a VA facility. Veterans should not have to choose where they would prefer to pass due to red tape and cost; and their families should not be forced to say goodbye to a dying loved one in a hospital as opposed to comfortably at home.

## **CONCLUSION**

TAPS thanks the leadership of the House Committee on Veterans' Affairs, their distinguished members, and professional staff for holding this hearing. TAPS is honored to share our views on behalf of the thousands of surviving families we serve.